

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff

v.

BRADLEY WOOLARD, et al.,

Defendants.

CASE NO. CR18-217RSM

ORDER DENYING MOTION TO QUASH
SUBPOENA AND PRECLUDE DEFENSE
FROM CALLING A CONFIDENTIAL
SOURCE

This matter comes before the Court on the Government's Motion to Quash Subpoena and Preclude the Defense from calling a Confidential Source at the Franks hearing scheduled for June 21, 2021. Dkt. #715. Defendants Woolard and Isham oppose this Motion. Dkts. #718 and #719.

The Government has failed to demonstrate standing to move to quash a subpoena for the confidential source J.H. to testify at the above hearing. Even if the Government had standing, it has failed to demonstrate that calling J.H. to testify will disclose this person's identity for the first time to Defendants. The Government agrees that Defendants are aware of J.H.'s identity. The Government has presented no evidence that J.H. wishes to avoid testifying on safety grounds, nor has the Government adequately articulated any threat to this witness or potential harm that could occur from testifying. Finally, the Government has failed to convince the Court that this witness's testimony would be irrelevant or duplicative of the evidence already before the Court.

1 Having reviewed the briefing, along with the remainder of the record, the Court hereby
2 finds and ORDERS that the Government's Motion to Quash Subpoena and Preclude the Defense
3 from calling a Confidential Source at the Franks hearing scheduled for June 21, 2021, Dkt. #715,
4 is DENIED.

5 DATED this 17th day of June, 2021.
6
7

8 
9

10 RICARDO S. MARTINEZ
11 CHIEF UNITED STATES DISTRICT JUDGE
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27